

REMARKS

Claims 1 and 3-23 are pending in this application. Claims 24-49 have been previously withdrawn from consideration. By this Amendment, claims 3, 9 and 12 are amended. Reconsideration based on the amendments and following remarks is respectfully requested.

I. Information Disclosure Statement

An Information Disclosure Statement was filed in the above-captioned patent application on September 13, 2001. Applicant has not yet received from the Examiner acknowledgement of the fact that the Examiner has considered the disclosed information. The Examiner is requested to acknowledge consideration of the disclosed information.

II. The Claims Satisfy All Formal Requirements

The Office Action objects to claims 3-18 as depending from a canceled claim. Claims 3, 9 and 12 are amended to obviate the objection. Withdrawal of objection to the claims is respectfully requested.

III. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1 and 3-23 under obvious-type double patenting as being unpatentable over claims 1 and 2 of co-pending application S/N 09/985,205. This rejection is respectfully traversed.

During a September 3, 2003 conversation, Examiner Le asserted that the indication of co-pending application S/N 09/895,205 used to reject claims 1, 3-23 under the judicially created doctrine of obviousness-type double patenting is incorrect. Instead, Examiner Le asserted that the correct application serial is 09/895,205.

The Office Action admits that claims 1 and 2 of co-pending application S/N 09/895,205 are not identical to claims 1, 3-23 of the present application. However, the Office Action asserts that it would have been obvious to one of ordinary skill in the art at the time

the invention was made to deposit the ferroelectric layer at least in an intersection region between the first signal electrode and the second signal electrode by depositing the ferroelectric layer linearly along the first signal electrode or the second signal electrode in order to form a ferroelectric memory device.

However, the features recited in claims 1 and 3-23 are completely different from the applied art. Specifically, the feature that the peripheral circuit section is formed in a region outside the memory cell array, as recited in claim 1 and shown in Figures 1 and 2, is not disclosed in claims 1 and 2 of co-pending application S/N 09/895,205. See page 15, lines 8-20.

The advantages of forming a peripheral circuit section formed in a region outside of memory cell array is disclosed on page 2, lines 15-22, of the present application. The advantage is that the memory cell array can be formed on a planar semiconductor substrate and can be easily formed by forming the peripheral circuit section in the region outside of the memory cell array. As a result, the planar inner layer dielectric can be easily formed on the semiconductor substrate. Therefore, the memory cell array can be formed reliably on the planar inner layer dielectric, whereby a memory cell array with a desired pattern can be easily formed. Patent application number 09/895,205 is completely devoid of this feature. Thus, withdrawal of the double-patenting rejection is respectfully requested.

IV. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 and 3-23 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Holly N. Sy
Registration No. 50,212

JAO:HNS/vvr

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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